

**LEGISLATIVE SERVICES AGENCY
OFFICE OF FISCAL AND MANAGEMENT ANALYSIS**

200 W. Washington, Suite 301
Indianapolis, IN 46204
(317) 233-0696
<http://www.in.gov/legislative>

FISCAL IMPACT STATEMENT

LS 6248

BILL NUMBER: HB 1061

NOTE PREPARED: Nov 21, 2010

BILL AMENDED:

SUBJECT: Paramedic Licensing.

FIRST AUTHOR: Rep. Brown T

FIRST SPONSOR:

BILL STATUS: As Introduced

FUNDS AFFECTED: ☒ **GENERAL**
☒ **DEDICATED**
☐ **FEDERAL**

IMPACT: State & Local

Summary of Legislation: *Licensing of Paramedics-* The bill provides for the licensure of paramedics by the Emergency Medical Services Commission (EMSC). The bill establishes qualifications and requirements for a licensed paramedic.

B Misdemeanor- The bill makes it a Class B misdemeanor to practice as a paramedic without a license.

Grace Period- The bill allows individuals who were certified paramedics under the former law to continue practicing until July 1, 2013, but makes them subject to the license requirement as of that date.

Conforming Changes and Definitions- The bill makes conforming changes. The bill replaces definitions of "paramedic" with definitions of "licensed paramedic".

Effective Date: July 1, 2011.

Explanation of State Expenditures: *Licensing of Paramedics-* The EMSC currently certifies paramedics. The EMSC would have to adopt rules and fees for the licensing of paramedics. The EMSC would likely be able to administrate the licensure of paramedics within their existing level of resources. The EMSC is scheduled for nine business meetings during CY 2010.

Explanation of State Revenues: *Licensure of Paramedics-* State Revenues would increase with setting of a licensure fee. The EMSC currently does not charge a fee for the certification of paramedics.

The Bureau of Labor Statistics reports there were 5,670 EMTs and paramedics employed in Indiana during

2009. The Department of Homeland Security has record of 3,544 paramedics certified in Indiana. As an example, using these two numbers, the revenue from an initial \$50 licensing fee could generate between \$177,000 and \$283,500. All revenue from licensing would depend on the fee established by the EMSC and the number of license applicants. The bill does not provide for a specific fund for fee revenue. Therefore, paramedic licensure fees would be deposited in the state General Fund. (Typically, fees from other licensed professions are deposited into the General Fund.)

Grace Period- Revenue collection from fees may not be immediate, as existing certified paramedics would be granted a two-year “grace period” to continue practicing before obtaining a license.

Civil Penalty- The EMSC would be able to impose a civil penalty of up to \$500 for any licensed paramedic who commits an act or makes an omission constituting gross negligence arising from practice as a paramedic. Civil penalties collected under this provision would be placed in the state General Fund.

B Misdemeanor- If additional court cases occur and fines are collected, revenue to both the Common School Fund and the state General Fund would increase. The maximum fine for a Class B misdemeanor is \$1,000. Criminal fines are deposited in the Common School Fund.

If the case is filed in a circuit, superior, or county court, 70% of the \$120 court fee that is assessed and collected when a guilty verdict is entered would be deposited in the state General Fund. If the case is filed in a city or town court, 55% of the fee would be deposited in the state General Fund. In addition, some or all of the document storage fee (\$2), automated record keeping fee (\$7), judicial salaries fee (\$18), public defense administration fee (\$3), court administration fee (\$5), judicial insurance adjustment fee (\$1), and the DNA sample processing fee (\$1) are deposited into the state General Fund.

Explanation of Local Expenditures: *B Misdemeanor-* A Class B misdemeanor is punishable by up to 180 days in jail. The average daily cost to incarcerate a prisoner in a county jail is approximately \$44.

Explanation of Local Revenues: *B Misdemeanor-* If additional court actions occur and a guilty verdict is entered, local governments would receive revenue from the following sources: The county general fund would receive 27% of the \$120 court fee that is assessed in a court of record. Cities and towns maintaining a law enforcement agency that prosecutes at least 50% of its ordinance violations in a court of record may receive 3% of court fees. If the case is filed in a city or town court, 20% of the court fee would be deposited in the county general fund and 25% would be deposited in the city or town general fund. In addition, several additional fees may be collected at the discretion of the judge and depending upon the particular type of criminal case.

State Agencies Affected: EMSC under the Indiana Department of Homeland Security.

Local Agencies Affected: Trial courts, local law enforcement agencies.

Information Sources: Mara Snyder, chief counsel, Indiana Department of Homeland Security; U.S. Bureau of Labor Statistics OES Report, May 2009.

Fiscal Analyst: Chris Baker, 317-232-9851.